



HUMAN RESOURCES DEPARTMENT
FORT BEND COUNTY, TEXAS

Kent M. Edwards, PHR
Director of Human Resources

To: Judge Robert Hebert
Commissioner Richard Morrison
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner James Patterson

From: Kathy Novosad, PHR, Sr. Human Resources Generalist

Copy: Wyatt Scott, Director of Risk Management

Date: April 10, 2015

Subject: Addition to Employee Information Manual:
Policy 617: Authorization to Drive on County Business

Human Resources is submitting the attached new policy for the Employee Information Manual for your review and action. In consultation with the Risk Management Department and the County Attorney's Office, *Policy 617: Authorization to Drive on County Business* has been developed to implement and communicate guidelines for obtaining and maintaining authorization to drive on County business. It is hoped that implementation of this policy will help limit the County's exposure to loss from employees who choose to engage in unsafe driving practices.

The new policy specifies that authorization to drive on County business may be revoked based on an employee's driving record which includes moving violations, driving related criminal offenses, and the employee's County vehicle loss history. The policy also addresses minimum guidelines for candidates for employment who will be required to drive on County business.

If you have any questions regarding the attached policy, please contact the Risk Management Department or Human Resources.

617 – AUTHORIZATION TO DRIVE ON COUNTY BUSINESS

Section 617.01 Authorization to Drive on County Business

This policy addresses minimum standards for authorization to drive on County business, either in a County vehicle or one's personal vehicle, as determined by the Risk Management Department. Fort Bend County reserves the right to invoke greater restrictions on an employee's authorization to drive on County business if deemed necessary.

Employees should consult *Section 603: Defensive Driving – Mandatory*, and *Section 612 – Vehicle Policy*, of this manual for additional information on driving on County business. Employees should also note that violations of law, including moving violations and driving-related criminal offenses as discussed in this policy may violate other County or department policies and may result in disciplinary action, up to and including termination of employment.

Section 617.02 Moving Violations and Driving-Related Criminal Offenses

Reference to moving violations in this policy shall refer to violations of any motor vehicle law committed by a driver of a vehicle while the vehicle was in motion, as defined in the traffic penal code for any legal jurisdiction.

Driving-related criminal offenses in this policy shall refer to drug and alcohol related offenses such as Driving While Intoxicated (DWI) and Driving Under the Influence (DUI) as well as other Class A or B misdemeanors or higher, including but not limited to assault or manslaughter offenses involving a vehicle.

Section 617.03 Authorized Drivers, Pre-employment Screening

Candidates for employment for a Fort Bend County position that requires authorization to drive for the County, both in a County vehicle or one's personal vehicle, must possess a valid Texas Driver's License and will be subject to pre-employment screening. A driver's license verification, Motor Vehicle Report (MVR), and criminal background check will be conducted before a final offer of employment will be made.

A candidate who has three or more moving violation convictions resulting from separate incidents in the past three years will not be authorized to drive for the County. Candidates with convictions for driving-related criminal offenses within the last seven years from date of pre-employment screening will also not be authorized to drive for the County. Candidates who are not authorized to drive should not be considered for a position if driving is an essential requirement of the position.

Section 617.04 Authorized Drivers, Current Employees

Employees who drive on County business must possess a valid Texas Driver's License. Employees are strictly prohibited from driving on County business, either in a County vehicle or a personal vehicle, if his or her driver's license is expired, suspended, or revoked for any reason.

The Risk Management Department will conduct a review of an authorized driver's MVR and County Vehicle Loss History on an annual basis or as deemed necessary. The County Vehicle Loss History is a record of any incident that occurred while driving on County business or in a County vehicle that resulted in injury or property loss or damage.

An employee who has a combination of three or more convictions for moving violations and/or work related at-fault accidents (resulting from separate incidents) in a three year period will be considered a "Warned Driver."

A Warned Driver may still be authorized to drive on County business but should be aware that authorization to drive will be revoked if one or more additional moving violations, driving-related criminal convictions, or work-related at-fault incidents, are accumulated in a three year period. Loss of authorized driving status may result in termination of employment if the employee is unable to meet the requirements of the position.

**Section 617.05
Driving-Related
Criminal Offenses**

An employee who is convicted of a driving-related criminal offense will be designated as a Warned Driver for seven years from the date of conviction and may be referred to a Substance Abuse Professional (SAP) through the Employee Assistance Program. A Warned Driver may still be authorized to drive on County business but should be aware that authorization to drive will be revoked if another conviction is received within the seven year time frame. Loss of authorized driving status may result in termination of employment if driving is a necessary function of the employee's position.

An employee must immediately notify his or her supervisor if a charge or conviction results in a suspension of driver's license and the employee is required to drive on County business. **An employee with a suspended license is strictly prohibited from driving on County business.**

**Section 617.06
Appeal of Decision**

Implementation of this policy may result in a current employee being deemed a Warned Driver or Unauthorized Driver due to incidents or convictions that occurred prior to the initial effective date of this policy. The Risk Management Department shall carefully review the circumstances of any such employee, and make a fair and appropriate decision regarding the employee's authorization to drive on County business.

When the Risk Management Department determines that it is necessary to revoke an employee's authorization to drive on County business, the employee and the employee's department head or elected official will be notified in writing. The employee will then have 5 business days from the date of notification to appeal the decision. The appeal must be sent to the Director of Risk Management.

Policy Approved and Adopted By:
Fort Bend County Commissioners Court
April 28, 2015